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PATENT / DOCKET NO. 28787.3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Chen, et al.

Serial No.: 09/675,628

Filed: September 29, 2000

For: INTERACTIVE TOPOLOGY  
GRAPHS FOR VISUALIZATION  
AND CHARACTERIZATION OF  
SONET CONSUMPTION PATTERNS

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Group Art Unit: 2151

Examiner: Unknown

RESPONSE AND TRANSMITTAL OF MISSING PARTS OF APPLICATION

Commissioner of Patents  
**ATTENTION: BOX MISSING PARTS**  
Washington, D. C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) - *Filing Date Granted* mailed October 10, 2000 regarding the above-identified application, Applicant submit the following:

1. Return copy of the Notice to File Missing Parts dated November 8, 2000;
2. Executed Declaration/Powers of Attorney for Patent Application;
3. A check in the amount of \$130.00;
4. Original and copy of this Transmittal; and
5. Return postcard

The Commissioner is hereby authorized to charge any further fees associated with this communication or to credit any overpayment to Deposit Account No. 08-1394.

Respectfully submitted,

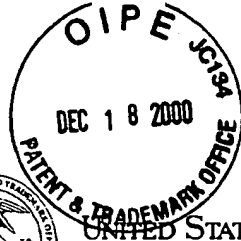
David L. McCombs  
Reg. No. 32,271

Date: 12-12-00  
HAYNES AND BOONE, LLP  
901 Main Street - Suite 3100  
Dallas, Texas 75202-3789  
Phone: 214/651-5634  
Fax: 214/651-5940  
File: 28787.3  
d-848610.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

on

12-12-00  
Wayle Conner



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/675,628	09/29/2000	Chuxin Chen	28787.3

David L McCombs  
Haynes and Boone LLP  
Suite 3100  
901 Main Street  
Dallas, TX 75202-9918

## FORMALITIES LETTER



\*OC000000005538603\*

Date Mailed: 11/08/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The following item(s) appear to have been omitted from the application:

- Figure(s) 7 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of

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the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE